

REMARKS

The above Amendment and these Remarks are in response to the Office Action mailed September 11, 2007. Claims 1-65 were pending in the Application prior to the outstanding Office Action. In the Office Action, the Examiner rejected claims 1-65. This response amends claims 1, 15, 18, 19, 23, 37, 40, 41, 44, 58, 61, 62 and 65, and cancels claim 66, leaving for Examiner's consideration claims 1-65. Reconsideration of the rejections is respectfully requested.

I. Claim Rejection – 35 U.S.C. § 102

Claims 1-65 are rejected under 35 U.S.C. 102(e) as being anticipated by Hershberg, *et al.* USPN 7,155,705.

Independent claim 1 is amended to define “*an XML type which implements a common Java type, corresponds to the XML schema and is capable of accessing elements of the XML data from within Java.*” Hence, the XML type in Java in the present invention is not a document type declaration in a DTD file for an XML processor as disclosed in Hershberg. (See Hershberg , Column **10**, Lines **30-37**) Therefore, Hershberg can not anticipate or render the present invention obvious, and independent claim 1 should be in allowable condition.

Similarly, independent claims 15, 18, 19, 23, 37, 40, 41, 44, 58, 61, 62 and 65 should all be in allowable condition as currently amended.

Therefore, dependent claims 16-17, 20-22, 24-36, 38-39, 42-43, 45-57, 59-60, and 63-64 should all be in allowable condition as well, since each one of these claims depends on one of the allowable independent claims as listed above.

Claims 1-65 cannot be anticipated by Slaughter under 35 U.S.C. 102 (e) for at least this reason, and Applicant respectfully requests that the rejection with respect to these claims be withdrawn.

III. Conclusion

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and a Notice of Allowance is requested. The

Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting the issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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